

PUBLIC LAW 110-5—FEB. 15, 2007

**REVISED CONTINUING APPROPRIATIONS
RESOLUTION, 2007**

Joint Resolution

Making further continuing appropriations for the fiscal year 2007, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Revised Continuing Appropriations Resolution, 2007".

SEC. 2. The Continuing Appropriations Resolution, 2007 (Public Law 109-289, division B), as amended by Public Laws 109-369 and 109-383, is amended to read as follows:

**"DIVISION B—CONTINUING APPROPRIATIONS RESOLUTION,
2007**

"The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2007, and for other purposes, namely:

"TITLE I—FULL-YEAR CONTINUING APPROPRIATIONS

"SEC. 101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in the applicable appropriations Act for fiscal year 2006, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise provided for and for which appropriations, funds, or other authority were made available

in the following appropriations Acts:

"(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006.

"(2) The Energy and Water Development Appropriations Act, 2006.

"(3) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006.

"(4) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006.

"(5) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006.

"(6) The Legislative Branch Appropriations Act, 2006.

“(7) The Military Quality of Life and Veterans Affairs Appropriations Act, 2006.

“(8) The Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006.

“(9) The Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006.

“(b) For purposes of this division, the term ‘level’ means an amount.

“(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that—

“(1) such level shall not include any amount designated as an emergency requirement, or to be for overseas contingency operations, pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006; and

“(2) such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

“(A) the 1 percent government-wide rescission made by section 3801 of division B of Public Law 109–148;

“(B) the 0.476 percent across-the-board rescission made by section 439 of Public Law 109–54, relating to the Department of the Interior, environment, and related agencies; and

“(C) the 0.28 percent across-the-board rescission made by section 638 of Public Law 109–108, relating to Science, State, Justice, Commerce, and related agencies.

“SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

“SEC. 103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2006, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

“SEC. 104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 101(a) shall continue in effect through the date specified in section 106.

“SEC. 105. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were specifically prohibited during fiscal year 2006.

“SEC. 106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2007.

“SEC. 107. Expenditures made pursuant to this division prior to the enactment of the Revised Continuing Appropriations Resolution, 2007, shall be

charged to the applicable appropriation, fund, or authorization provided by this division (or the applicable regular appropriations Act for fiscal year 2007) as in effect following such enactment.

‘SEC. 108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 42 USC 12651i note. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

“SEC. 109. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2007 or 2008 in an appropriations Act for fiscal year 2006, the levels established by section 101 shall include advance appropriations in the same amount for fiscal year 2008 or 2009, respectively, with a comparable period of availability.

“SEC. 110. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2006, and for activities under the Food Stamp Act of 1977, the levels established by section 101 shall be the amounts necessary to maintain program levels under current law.

“(b) In addition to the amounts otherwise provided by section 101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2008:

“(1) ‘Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners’, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$68,000,000, to remain available until expended.

“(2) ‘Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid’, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$65,257,617,000, to remain available until expended.

‘(3) ‘Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs’, for payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,000,000,000, to remain available until expended.

“(4) ‘Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Adoption Assistance’, for payments to States or other non-Federal entities under title IV–E of the Social Security Act, \$1,810,000,000.

“(5) ‘Social Security Administration, Supplemental Security Income Program’, for benefit payments under title XVI of the Social Security Act, \$16,810,000,000, to remain available until expended.

“SEC. 111. (a)(1) In addition to any amounts otherwise provided by this division, such sums as may be necessary are hereby appropriated to fund, for

covered employees under a statutory pay system (as defined by section 5302 of title 5, United States Code), 50 percent of any increase in rates of pay which became effective under sections 5303 through 5304a of such title 5 in January 2007.

“(2)(A) In addition to any amounts otherwise provided by this division, such sums as may be necessary are hereby appropriated to provide the amount which would be necessary to fund, for covered employees not described in paragraph (1), 50 percent of the cost of an increase in rates of pay, calculated as if such employees were covered by paragraph (1) and as if such increase had been made on the first day of the first pay period beginning in January 2007 based on the rates that were in effect for such employees as of the day before such first day.

“(B) Subparagraph (A) is intended only to provide funding for pay increases for covered employees not described in paragraph (1). Nothing in subparagraph (A) shall be considered to modify, supersede, or render inapplicable the provisions of law in accordance with which the size or timing of any pay increase actually provided with respect to such employees is determined.

“(b) Appropriations under this section shall include funding for pay periods beginning on or after January 1, 2007, and the pay costs covered by this appropriation shall include 50 percent of the increases in agency contributions for employee benefits resulting from the pay increases described in subsection (a).

“(c) For purposes of this section, the term ‘covered employees’ means employees whose pay is funded in whole or in part (including on a reimbursable basis) by any account for which funds are provided by this division (other than by chapters 2 and 11 of title II of this division) after October 4, 2006.

“SEC. 112. Any language specifying an earmark in a committee report or statement of managers accompanying an appropriations Act for fiscal year 2006 shall have no legal effect with respect to funds appropriated by this division.

“SEC. 113. Within 30 days of the enactment of this section, each of the following departments and agencies shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2007 at a level of detail below the account level:

“(1) Department of Agriculture.

“(2) Department of Commerce, including the United States Patent and Trademark Office.

“(3) Department of Defense, with respect to military construction, family housing, the Department of Defense Base Closure accounts, and ‘Defense Health Program’.

“(4) Department of Education.

“(5) Department of Energy.

“(6) Department of Health and Human Services.

“(7) Department of Housing and Urban Development.

“(8) Department of the Interior.

“(9) Department of Justice.

- “(10) Department of Labor.
- “(11) Department of State and United States Agency for International Development.
- “(12) Department of Transportation.
- “(13) Department of the Treasury.
- “(14) Department of Veterans Affairs, including ‘Construction, Major Projects’.
- “(15) National Aeronautics and Space Administration.
- “(16) National Science Foundation.
- “(17) The Judiciary.
- “(18) Office of National Drug Control Policy.
- “(19) General Services Administration.
- “(20) Office of Personnel Management.
- “(21) National Archives and Records Administration.
- “(22) Environmental Protection Agency.
- “(23) Indian Health Service.
- “(24) Smithsonian Institution.
- “(25) Social Security Administration.
- “(26) Corporation for National and Community Service.
- “(27) Corporation for Public Broadcasting.
- “(28) Food and Drug Administration.

“SEC. 114. Within 15 days after the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate—

- “(1) a report specifying, by account, the amounts provided by this division for executive branch departments and agencies; and
- “(2) a report specifying, by account, the amounts provided by section 111 for executive branch departments and agencies.

“SEC. 115. Notwithstanding any other provision of this division and notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31), the percentage adjustment scheduled to take effect under such section for 2007 shall not take effect.

“TITLE II—ELIMINATION OF EARMARKS, ADJUSTMENTS IN FUNDING, AND OTHER PROVISIONS

“CHAPTER 6—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

“SEC. 20614. (a) Notwithstanding section 101, the levels for the following accounts of the Department of Health and Human Services, National Institutes of Health, shall be as follows: ‘National Institute of Child Health and Human Development’, \$1,253,769,000; ‘National Center for Research Resources’, \$1,133,101,000; ‘National Center on Minority Health and Health Disparities’, \$199,405,000; ‘National Library of Medicine’, \$319,910,000; and ‘Office of the Director’, \$1,095,566,000, of which up to \$14,000,000 may be used to carry out section 217 of the Department of Health and Human Services Appropriations Act,

2006, \$69,000,000 shall be available to carry out the National Children's Study, and \$483,000,000 shall be available for the Common Fund established under section 402A(c)(1) of the Public Health Service Act.

“(b) The seventh, eighth, and ninth provisos under the heading ‘Department of Health and Human Services, National Institutes of Health, Office of the Director’ in the Department of Health and Human Services Appropriations Act, 2006, pertaining to the National Institutes of Health Roadmap for Medical Research, shall not apply to funds appropriated by this division.

“(c) Funds appropriated by this division to the Institutes and Centers of the National Institutes of Health may be expended for improvements and repairs of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, not to exceed \$2,500,000 per project.